

Article - Environment

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§9–1601.

(a) Unless the context clearly requires otherwise, in this subtitle the following words have the meanings indicated.

(b) “Administration” means the Maryland Water Quality Financing Administration.

(c) “Bay Restoration Fund” means the Bay Restoration Fund established under § 9–1605.2 of this subtitle.

(d) “Biological nutrient removal” means a biological nutrient removal technology capable of reducing the nitrogen in wastewater effluent to not more than 8 milligrams per liter, as calculated on an annually averaged basis.

(e) “Board” means the Board of Public Works.

(f) “Bond” means a bond, note, or other evidence of obligation of the Administration issued under this subtitle, including a bond or revenue anticipation note, notes in the nature of commercial paper, and refunding bonds.

(g) “Bond resolution” means the resolution or resolutions of the Director, including the trust agreement, if any, authorizing the issuance of and providing for the terms and conditions applicable to bonds.

(h) “Borrower” means a local government or a person as defined in § 1–101(h) of this article who has received a loan.

(i) “Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund” means the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund established under § 9–1605.3 of this subtitle.

(j) “Community sewerage system” means a publicly or privately owned sewerage system that serves at least two lots.

(k) “Director” means the Director of the Administration.

(l) “Drinking Water Loan Fund” means the Maryland Drinking Water Revolving Loan Fund.

(m) “Eligible costs” means the costs identified under § 9–1605.2(i) of this subtitle.

(n) “Enhanced nutrient removal” means:

(1) An enhanced nutrient removal technology that is capable of reducing the nitrogen and phosphorus concentrations in wastewater effluent to concentrations of not more than 3 milligrams per liter total nitrogen and not more than 0.3 milligrams per liter total phosphorus, as calculated on an annually averaged basis; or

(2) If the Department has determined that the concentrations under item (1) of this subsection are not practicable for a wastewater facility, the lowest average annual wastewater effluent nitrogen and phosphorus concentrations that the Department determines are practicable for that facility.

(o) “Equivalent dwelling unit” means a measure of wastewater effluent where one unit is equivalent to:

(1) If a local government or billing authority for a wastewater facility has established a definition for “equivalent dwelling unit” on or before January 1, 2004, the average daily flow of wastewater effluent that the local government or billing authority has established to be equivalent to the average daily flow of wastewater effluent discharged by a residential dwelling, which may not exceed 250 gallons; or

(2) If a local government or billing authority has not established a definition for “equivalent dwelling unit” on or before January 1, 2004, or if a local government or billing authority has established a definition that exceeds 250 gallons of wastewater effluent per day, an average daily flow of 250 gallons of wastewater effluent.

(p) “Facility” means a wastewater facility or all or a portion of a water supply system as defined in § 9–201(u) of this title.

(q) “Federal Safe Drinking Water Act” means Title XIV of the Public Health Service Act, P.L. 93–523, as amended, 42 U.S.C. § 300f, et seq., and the rules and regulations promulgated thereunder.

(r) “Federal Water Pollution Control Act” means the Water Pollution Control Act of 1972, P.L. 92–500, as amended, 33 U.S.C. § 1251, et seq., and rules and regulations promulgated thereunder.

(s) “Fund” means a fund established by this subtitle, including the Water Quality Fund, the Drinking Water Loan Fund, the Bay Restoration Fund, and the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund.

(t) “Grant” means a grant from the Administration to a grantee.

(u) “Grant agreement” means a written agreement between the Administration and a grantee with respect to a grant.

(v) “Grantee” means the grant recipient.

(w) “Lender” has the meaning stated in § 9–1606.1 of this subtitle.

(x) “Linked deposit” has the meaning stated in § 9–1606.1 of this subtitle.

(y) “Linked deposit loan” has the meaning stated in § 9–1606.1 of this subtitle.

(z) “Linked deposit program” has the meaning stated in § 9–1606.1 of this subtitle.

(aa) “Loan” means a loan from the Administration to a borrower for the purpose of financing all or a portion of the cost of a wastewater facility, if the loan is from the Water Quality Fund, or water supply system, if the loan is from the Drinking Water Loan Fund.

(bb) “Loan agreement” means a written agreement between the Administration and a borrower with respect to a loan.

(cc) “Loan obligation” means a bond, note, or other evidence of obligation, including a mortgage, deed of trust, lien, or other security instrument, issued or executed by a borrower to evidence its indebtedness under a loan agreement with respect to a loan.

(dd) (1) “Local government” means a county, municipal corporation, sanitary district, or other State or local public entity that has authority to own or operate a facility.

(2) “Local government” includes any combination of two or more of the public entities under paragraph (1) of this subsection when acting jointly to construct or operate a facility.

(ee) (1) “Person” means an individual, corporation, partnership, association, nonprofit entity, the State, any unit of the State, commission, special taxing district, or the federal government.

(2) “Person” does not include a county, municipal corporation, bi-county or multicounty agency under Division II of the Land Use Article or Division II of the Public Utilities Article, housing authority under Division II of the Housing and Community Development Article, school board, community college, or any other unit of a county or municipal corporation, or a local fire department, as defined in § 9-401 of the Public Safety Article.

(ff) (1) “Residential dwelling” means a room or group of rooms occupied as living quarters by an individual, a single family, or other discrete group of persons with facilities that are used or intended to be used for living, sleeping, cooking, sanitation, and eating, including an apartment unit, condominium unit, cooperative unit, town house unit, mobile home, or house.

(2) “Residential dwelling” does not include a hospital, hotel, motel, inn, boarding house, club, dormitory, school, college, or similar seasonal, institutional, or transient facility.

(gg) “Single site” means a discrete grouping of buildings or structures that are located on contiguous or adjacent property and owned by the same user.

(hh) (1) “User” means any person discharging wastewater to:

(i) A wastewater facility that has a State discharge permit or national pollutant discharge elimination system discharge permit;

(ii) An on-site sewage disposal system; or

(iii) A sewage holding tank.

(2) “User” does not include a person whose sole discharge is stormwater under a stormwater permit.

(ii) (1) “Wastewater facility” means any equipment, plant, treatment works, structure, machinery, apparatus, interest in land, or any combination of these, which is acquired, used, constructed, or operated:

(i) For the storage, collection, treatment, neutralization, stabilization, reduction, recycling, reclamation, separation, or disposal of wastewater;

(ii) To improve water conservation, reduce energy consumption, or increase security; or

(iii) For the final disposal of residues resulting from the treatment of wastewater.

(2) “Wastewater facility” includes:

(i) Treatment or disposal plants; outfall sewers, interceptor sewers, and collector sewers; pumping and ventilating stations, facilities, and works; and other real or personal property and appurtenances incident to their development, use, or operation;

(ii) Any programs and projects for managing, reducing, treating, recapturing, abating, or controlling nonpoint sources of water pollution, including stormwater or subsurface drainage water; and

(iii) Any programs and projects for improving estuarine conservation and management.

(jj) “Water Quality Fund” means the Maryland Water Quality Revolving Loan Fund.

(kk) “Water supply system” has the meaning stated in § 9–201(u) of this title.

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